

REMARKS

After the foregoing Amendment, claims 2, 7, 8, and 25 are currently pending in this application. Claims 1, 3-6, 9-24, and 26-34 are canceled without prejudice. Claims 2, 7, 8, and 25 are amended. All claim amendments are supported in the specification and/or the drawings. No new matter has been added.

Claim Rejections - 35 U.S.C. § 102

Claims 2, 7, 8, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Mohammed (U.S. Reference No. 2005/0207395) (hereinafter "Mohammed").

With regard to claim 2, Mohammed discloses a method of authenticating a user seeking access to an unlicensed wireless communication system by delivering to an unlicensed wireless communication subscriber device licensed wireless communication system security information. According to the Mohammed reference, the licensed wireless system provides the parameters that are needed when the subscriber device needs a handoff from the unlicensed wireless system to the licensed wireless system. Further, according to the Mohammed reference, the information includes the identity of the base station to which the handoff should be made and may be obtained and stored before a call is made or when a call is made. As disclosed in the Mohammed reference, the handoff information can be secured

before the subscriber device roams outside the coverage area of the base station. According to the Mohammed reference, the availability of this information allows the licensed wireless circuitry to be shut down for the purpose of extending battery life.

There is no disclosure, teaching, or suggestion in the Mohammed reference of a handset associating with a first wireless system coupled to a server connected to the Internet, on a data base containing capability data indicative of the operating mode capability of a second wireless subsystem coupled to the server. Further, there is no disclosure, teaching, or suggestion in the Mohammed reference of transmitting query messages containing an indication of the first wireless system and the specific latitude-longitude location of the handset in a first operating mode on the second wireless subsystem to the data base after execution of the handoff to retrieve the capability data, wherein the query messages contain information identifying the wireless subsystem to which the handset is then connected. Lastly, there is no disclosure, teaching, or suggestion in the Mohammed reference of receiving the capability data from the data base on the second wireless subsystem in the first operating mode and switching into a second mode if the retrieved capability data indicates that the second wireless subsystem is capable of operation in the second mode.

Therefore, amended independent claim 2 is patentable over the Mohammed

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reference. Claims 7, 8, and 25 are dependent upon amended patentable independent claim 2 and are therefore patentable for at least the same reasons as amended patentable independent claim 2.

Based on the arguments presented above, withdrawal of the 35 U.S.C. 102(e) rejection of claims 2, 7, 8, and 25 is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosures